

The Honorable John C. Coughenour

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DISCOVERY PARK COMMUNITY
ALLIANCE, *et al.*,

Petitioners,

vs.

CITY OF SEATTLE, *et al.*,

Respondents.

No. 2:19-cv-1105-JCC

NOTIFICATION OF EXEMPTION
FROM THE REQUIREMENTS OF
FRCP 26(a) AND 26(f)

On May 21, this Court issued a Minute Entry Setting Initial Case Management Dates (Dkt. # 41), which says to notify the Courtroom Deputy Clerk if this case involves claims exempt from the requirements of FRCP 26(a) and 26(f). After transmitting the substance of this filing to the Courtroom Deputy Clerk via email, he directed Respondent City of Seattle to file the substance of that message.

The claims in this case are exempt from the requirements of FRCP 26(a) and 26(f). Petitioners brought this case under the Washington Land Use Petition Act (“LUPA”), Chapter 36.70C RCW. *See* Petition (Dkt. #1-2). Appeals under LUPA are based on an administrative record. RCW 36.70C.120. An action for review on an administrative record is exempt from the requirements of FRCP 26(a) and 26(f). FRCP 26(a)(1)(B)(i); FRCP 26(f)(1).

1 Although the City intends to comply with the Minute Entry's June 29, 2020, joint status
2 report deadline, the City believes the parties are exempt from the FRCP 26(f) conference and
3 FRCP 26(a) initial disclosure deadlines.

4 DATED June 4, 2020.

5 PETER S. HOLMES
6 Seattle City Attorney

7 By: /s/ Patrick Downs, WSBA # 25276
8 /s/ Roger D. Wynne, WSBA #23399

9 Assistant City Attorneys
10 Seattle City Attorney's Office
11 701 Fifth Avenue, Suite 2050
12 Seattle, WA 98104-7097

13 Ph: (206) 684-8200

14 Fax: (206) 684-8284

15 E-mail: patrick.downs@seattle.gov

16 roger.wynne@seattle.gov

17 *Attorneys for Respondent City of Seattle*

CERTIFICATE OF SERVICE

I certify that on this day I electronically filed this document with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to:

Elizabeth A. Campbell
3826 24th Ave. W.
Seattle, WA 98199
Email: neighborhoodwarrior@gmail.com
Pro Se

G. Richard Hill, WSBA #8806
Katie J. Kendall, WSBA #48164
McCullough Hill Leary, PS
701 – 5th Avenue, Suite 6600
Seattle, WA 98104
Email: rich@mhseattle.com
kkendall@mhseattle.com
Attorneys for Respondent Seattle Public Schools

I also certify that on this day I sent a copy of this document via e-mail to the same individuals.

Dated June 4, 2020, at Seattle, Washington.

/s/ Alicia Reise
ALICIA REISE, Legal Assistant